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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,513	05/20/2004	Chan-Tung Chen	206,544	7133
2292	7590	02/28/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				EDMONDSON, LYNNE RENEE
ART UNIT		PAPER NUMBER		
		1725		

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

✓

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/849,513	CHEN ET AL.	
	Examiner Lynne Edmondson	Art Unit 1725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 December 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 May 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by

Kosmatka (USPN 6364789 A1)

Kosmatka teaches a method of making a gold club head comprising preparing a casing (40) with an open end having extensions (56, 60), seating a striking plate(32) in the end of the casing and binding the parts through a brazing material placed in the area between them. The brazing material melts and flows by capillary action. The braze material melts at a lower temperature than the plate and casing (figures 5-9, col 3 lines 20-24 and col 4 line 44 – col 5 line 19). In an alternate embodiment, both the casing and striking plate have extensions (56' and 80) (figure 10 and col 6 line 58 – col 7 line 24).

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Shieh (USPN 6299549 B1).

Shieh teaches a method of making a gold club head comprising preparing a metal casing (10) with an open end, seating a striking plate (20) in the end of the casing which has extensions (12) and binding the parts through a brazing material placed in the area between them. The brazing material melts and flows by capillary action. The braze material melts at a lower temperature than the plate and casing (figures 5-8, col 2 line 40 – col 3 line 7 and claim 1).

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. (USPN 6749524 B1).

Chen teaches a method of making a gold club head comprising preparing a casing (40) with an open end having extensions (42,62), seating a striking plate(50) having extensions (51) in the end of the casing and binding the parts through a brazing material placed in the area between them. The brazing material melts and flows by capillary action. The braze material melts at a lower temperature than the plate and casing (figures 4 and 5 and col 1 line 60 – col 2 line 22).

5. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang (US 2005/0181890 A1).

Huang teaches a method of making a gold club head comprising preparing a metal casing (10) with an open end, seating a striking plate (20) in the end of the casing

and binding the parts through a brazing material placed in the area between them. The brazing material melts and flows by capillary action. The braze material melts at a lower temperature than the plate and casing (figures 1, 2, 5, paragraphs 4 and 26-31).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

6. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. (US 2005/0049074 A1).

Chen teaches a method of making a gold club head comprising preparing a metal casing (10) with an open end, seating a striking plate (20) in the end of the casing and binding the parts through a brazing material placed in the area between them. The brazing material melts and flows by capillary action. The braze material melts at a lower temperature than the plate and casing (figures 6, 12-14, paragraphs 31-33).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

7. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. (USPN 6918841 B2).

Chen teaches a method of making a gold club head comprising preparing a metal casing (10) with an open end having extensions (14) and a shoulder (13), seating a striking plate (20) in the end of the casing and binding the parts through a brazing material placed in the area between them. The brazing material melts and flows by capillary action. The braze material melts at a lower temperature than the plate and casing (figures 4, 5, and 7 and col 3 line 52 – col 4 line 60).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

#### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (USPN 6860823 B2) in view of Hocknell et al. (USPN 6669577 B1).

Lee teaches a method of making a gold club head comprising preparing a casing (22) with an open end having extensions (75,77), seating a striking plate(40) having extensions (43) in the end of the casing and binding the parts through a brazing material placed in the area between them (figures 2 and 2A). A joining material melts and flows by capillary action. The material melts at a lower temperature than the plate and casing (col 6 line 48 – col 7 line 14). However the joining material is disclosed as an adhesive rather than braze.

Hocknell teaches a method of making a golf club head wherein a striking plate is bonded to a casing via welding, adhesive bonding (col 1 lines 19-28) or brazing (col 3 lines 40-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to that solder, braze and adhesives are obvious variations used interchangeably in the art.

***Response to Arguments***

10. Regarding applicant's argument that Shieh does not teach an external extension upon which solder or braze is placed, see figures 6 and 8 and col 2 line 40 – col 3 line 5 which teach an extension 12 in the casing.

11. Therefore the 102 rejection of claims 1-4 and anticipated by Shieh stands.

12. Regarding applicant's argument that Huang does not teach an external extension upon which solder or braze is placed, see figures 1, 2, 7 and 8 and paragraphs 26-29 which teach extension 22 on the striking plate which seats in a shoulder (stepped portion) of the casing.

13. Therefore the 102 rejection of claims 1-4 and anticipated by Huang stands.

14. Regarding applicant's argument that Chen does not teach an external extension upon which solder or braze is placed, see figures 12 and 14 and paragraph 42 which teach extensions 22 on the striking plate which seat in a shoulder (recesses) of the casing.

15. Therefore the 102 rejection of claims 1-4 and anticipated by Chen stands and applies to new claims 5-8.

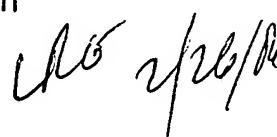
***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee (USPN 6319149 B1) and Lo (US 2006/0019769 A1).
  
17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynne Edmondson whose telephone number is (571) 272-1172. The examiner can normally be reached on Monday through Thursday from 6:30 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lynne Edmondson  
Primary Examiner  
Art Unit 1725



LRE